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10/671,408	09/24/2003	John H. Zybura	MSI-1686US	8391

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ART UNIT	PAPER NUMBER
2166	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
	10/671,408	ZYBURA ET AL.
Office Action Summary	Examiner	Art Unit	
	SYLING YEN	2166	

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on <u>24 September 2003</u>.

2a) ☐ This action is **FINAL**.   2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) <u>1-33</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) <u>1-33</u> is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☒ The drawing(s) filed on <u>24 September 2003</u> is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All   b) ☐ Some * c) ☐ None of:

      1. ☐ Certified copies of the priority documents have been received.

      2. ☐ Certified copies of the priority documents have been received in Application No. _____.

      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date <u>09/24/03</u>.

4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____

DETAILED ACTION

1.   The pending claims 1-33 are presented for examination.

Claim Rejections - 35 USC § 112

2.   The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and
distinctly claiming the subject matter which the applicant regards as his invention.

3.   Claims 26-29 and 30-33 are rejected under 35 U.S.C. 112, second paragraph, as

being indefinite for failing to particularly point out and distinctly claim the subject matter

which applicant regards as the invention.

4.   With respect to claims 26-29,

       Claim 26 recites phrase "A computer-readable medium having computer-

executable components, comprising:

       a system that ..." in lines 1-3. It is not clear how a computer-readable medium to

comprise a system.

       Claims 26-29 are rejected because they depend on the rejected claim 26.

5.   With respect to claims 30-33,

       Claim 30 recites phrase "A computer-readable medium having computer-

executable components, comprising:

       A graphical user interface for ..." in lines 1-3. It is not clear how a computer-

readable medium to comprise a graphical user interface.

       Claims 31-33 are rejected because they depend on the rejected claim 30.

Claim Rejections - 35 USC § 101

6.   35 U.S.C. 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

7.   Claims 12, 21 and 26-33 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

8.   Claims 12, 21 and 26-33 are rejected under U.S.C. 101 because a signal is a form of energy and a signal-bearing medium can simply be a transmission line (refer to paragraph [0073] in Applicant's specification). The claims fail to place the invention squarely within one statutory class of invention. On paragraph [0073] of the instant specification, applicant has provided evidence that applicant intends the "medium" to include signals. As such, the claim is drawn to a form of energy. Energy is not one of the four categories of invention and therefore this claim(s) is/are not statutory. Energy is not a series of steps or acts and thus is not a process. Energy is not a physical article or object and as such is not a machine or manufacture. Energy is not a combination of substances and therefore not a composition of matter.

Claim Rejections - 35 USC § 103

9   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the

invention was made to a person having ordinary skill in the art to which said subject matter pertains.
Patentability shall not be negatived by the manner in which the invention was made.

10.   This application currently names joint inventors. In considering patentability of

the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of

the various claims was commonly owned at the time any inventions covered therein

were made absent any evidence to the contrary. Applicant is advised of the obligation

under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was

not commonly owned at the time a later invention was made in order for the examiner to

consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g)

prior art under 35 U.S.C. 103(a).

11.   Claims 1-7, 9-19 and 21-29 are rejected under 35 U.S.C. 103(a) as being

obvious by Thatcher et al (U.S. Patent 6,061,743 hereinafter, "Thatcher") in view of

Karamanolis et al (U.S. Patent Application 2003/0131104 A1 hereinafter,

"Karamanolis").

12.   With respect to claim 1,

        Thatcher discloses **a computer-executable method, comprising:**

        receiving an indication of a change to an attribute (Thatcher col. 6 lines 43-

61 e.g. The server keeps a time stamp for each value of each attribute of each entry,

identifying when and where that value was last modified) **of a first external object**

(Thatcher col. 6 lines 43-61 e.g. A replication system is used to replicate or synchronize

different object changes to the other servers accessing the distributed directory) **in a**

first namespace (Thatcher col. 2 lines 30-39 e.g. first namespace)**, the change to a**

second external object (Thatcher col. 5 lines 20-29 and col. 6 lines 24-42 e.g. for

every object there is a group of object classes from which subordinate objects can be

formed. Objects that can contain other objects are called container objects, which are

the building blocks of the distributed directory. Objects that cannot contain other objects

are known as non-container or leaf objects; A subordinate reference does not store a

replica of its partition data. Rather, it is a skeleton: it stores only attributes to the

partition's root most object) **in the first namespace;**

      identifying a first central object in a second namespace, the first central

object corresponding to the first external object in the first namespace (Thatcher

col. 8 lines 24-34, 45-61 e.g. The registry 58 has a variety of different parts. Two such

parts are the namespaces table and the extensions table. All namespaces which

participate with the user interface 57 are registered in the namespace table. As such,

any number of different namespaces can participate. Using the namespace table of the

registry 58, the user interface 57 is able to associate the interface modules with the

corresponding namespaces; The extensions table of the registry 58 creates an

association between namespaces**);**

      identifying a second central object in the second namespace that

corresponds to the second external object in the first namespace (Thatcher col. 11

lines 6-37 e.g. The interface module 52 accesses the host namespace 51 and

determines whether any subordinate objects exist to the target 51A. Any subordinate

objects which may exist are then returned to the user interface 57, and in step 87 those

children are added to the list … a loop is started at step 91 where for each extension

listed in the registry 58, a getChildren call is made to a foreign namespace 54, and any corresponding children are added to the list in step 93**);**

      identifying another external object that depends on data stored in association with the second central object in the second namespace (Thatcher col. 8 lines 45-61 and col. 11 lines 6-37 e.g. when the user requests to expand the target 51A, at least a portion of the foreign namespaces 54 will be displayed in the user interface 57 relative to the target 51A. Preferably, the foreign namespace 54 will be displayed subordinate to the target 51A either as a subordinate branch or in an adjacent window, thus creating a seamless aggregation of the two namespaces 51, 54; a getChildren call is made to a foreign namespace 54, and any corresponding children**); and**

      propagating the data to the other external object (Thatcher col. 6 line 62 – col. 7 line 11 and col. 8 lines 1-23, 45-61 e.g. propagate the change to all the replicas of the partition; the user interface 57 provides a front end for users to view, read and modify a variety of disparate namespaces. The various objects in a namespace can be displayed; The registration API 59 is responsible for creating the registry 58, which contains a variety of different values and associations. Preferably, the actual values and associations in the registry 58 are defined by the interface modules 52, 55 … aggregation of the two namespaces 51, 54**).**

      Although Thatcher substantially teaches the claimed invention, Thatcher does not explicitly indicate the capability of **including a reference** (Karamanolis paragraphs 0036-0038 e.g. remove the reference from the namespace object, if necessary; perform

any needed changes on the target object; insert a reference in the namespace object, if

necessary).

Karamanolis teaches the limitation as stated above.

It would have been obvious to one of ordinary skill in the art of namespace, at the

time of the present invention, having the teachings of Thatcher and Karamanolis before

him/her, to modify the namespace system of Thatcher, wherein the namespace system

would include reference as taught by Karamanolis because that would have allowed the

namespace system to minimize the runtime overhead incurred in support of

recoverability from host and communications failures (Karamanolis paragraph 0025).

13.   With respect to claim 2,

Thatcher further discloses **wherein the indication of a change comprises a**

notice that the reference to the second external object was added (Thatcher col. 11

lines 6-37 e.g. those children are added to the list)**, modified** (Thatcher col. 6 lines 43-

61 e.g. identifying when and where that value was last modified)**, or deleted.**

14.   With respect to claim 3,

Thatcher further discloses **wherein identifying the first central object in the**

second namespace comprises evaluating correlation information that correlates

objects in the first namespace with objects in the second namespace (Thatcher

col. 2 lines 30-39 and col. 8 lines 45-61 e.g. A target object in the first namespace is

selected. If the target object has an association with the second namespace, the

second namespace is accessed and at least a portion of the second namespace is

determined. At least a portion of the second namespace is displayed in relation to the

target object; when the user requests to expand the target 51A, at least a portion of the

foreign namespaces 54 will be displayed in the user interface 57 relative to the target

51A.**).**

15.   With respect to claim 4,

Thatcher further discloses **wherein the correlation information comprises a**

persistent data store (Thatcher col. 8 lines 24-34, 45-61 e.g. Using the namespace

table of the registry 58, the user interface 57 is able to associate the interface modules

with the corresponding namespaces; The extensions table of the registry 58 creates an

association between namespaces) **that associates central objects in the second**

namespace with external objects in other namespaces.

16.   With respect to claim 5,

Thatcher further discloses **wherein the association comprises a link** (Thatcher

col. 2 lines 30-39 e.g. in relation to the target object) **between a unique identifier**

(Thatcher col. 5 lines 47-53 e.g. the DN is a unique reference that identifies an object's

distinct identity and location within a distributed directory) **for each central object in**

the second namespace and unique identifies (Thatcher col. 5 lines 47-53 e.g. holds

the same set of objects with the same distinguished names ("DN"). the DN is a unique

reference that identifies an object's distinct identity and location within a distributed

directory) **for each external object.**

17.   With respect to claim 6,

Thatcher further discloses **wherein the unique identifier comprises a globally**

(Thatcher col. 5 lines 47-53 e.g. holds the same set of objects with the same

distinguished names ("DN"). the DN is a unique reference that identifies an object's distinct identity and location within a distributed directory. For instance, the DN .CN=SteveM.OU=Denali.OU=Parks.O=NW.C=US isolates Steve M's User object to only one object in the entire distributed directory) **unique identifier.**

18.   With respect to claim 7,

Thatcher further discloses **wherein the persistent data store comprises a table** (Thatcher col. 8 lines 24-34, 45-61 e.g. Using the namespace table of the registry 58, the user interface 57 is able to associate the interface modules with the corresponding namespaces; The extensions table of the registry 58 creates an association between namespaces**).**

19.   With respect to claim 9,

Thatcher further discloses **wherein each object comprises an entity** (Thatcher Fig. 1 e.g. User Object).

20.   With respect to claim 10,

Thatcher further discloses **wherein each entity comprises a unique identifier that is immutable and a name** (Thatcher Fig. 1 e.g. User Object: Given Name, Last Name, Login Name).

21.   With respect to claim 11,

Thatcher further discloses **wherein the name is mutable** (Thatcher Fig. 1 e.g. User Object: Login Name**).**

22.   Concerning claim 12,

The limitations therein have substantially the same scope as claim 1 because claim 12 is a computer-readable medium claim for implementing those methods of claim 1. Therefore claim 12 is rejected for at least the same reasons as claim 1.

23.   Concerning claims 13 and 15-18,

The limitations therein have substantially the same scope as claims 1, 4-5 and 10-11. Therefore claims 13 and 15-18 are rejected for at least the same reasons as claims 1, 4-5 and 10-11.

24.   With respect to claim 14,

Thatcher further discloses **wherein the data is formatted** (Thatcher col. 9 lines 42-67 e.g. A manifest is a text file in a particular format describing information in another file) **in accordance with the other object.**

25.   With respect to claim 19,

Thatcher further discloses **wherein the central representation comprises an aggregation of information** (Thatcher col. 6 line 62 – col. 7 line 11 and col. 8 lines 45-61 e.g. propagate the change to all the replicas of the partition; aggregation of the two namespaces 51, 54) **from the first object and the other object.**

26.   Concerning claim 21,

The limitations therein have substantially the same scope as claim 13 because claim 21 is a computer-readable medium claim for implementing those methods of claim 13. Therefore claim 21 is rejected for at least the same reasons as claim 13.

27.   With respect to claim 22,

Thatcher further discloses **propagating a name change** (Thatcher col. 6 line 62 – col. 7 line 11 and Fig. 1 e.g. propagate the change to all the replicas of the partition; User Object: Login Name) **of a referent in a reference field of a first object in a first namespace to a related second object in a second namespace by.**

28. Concerning claims 23-25,

The limitations therein have substantially the same scope as claims 4, 6 and 10. Therefore claims 23-25 are rejected for at least the same reasons as claims 4, 6 and 10.

29. Concerning claims 26-29,

The limitations therein have substantially the same scope as claims 1, 3, 5-6 and 10 because claims 26-29 are computer-readable medium claims for implementing those methods of claims 1, 3, 5-6 and 10. Therefore claims 26-29 are rejected for at least the same reasons as claims 1,3, 5-6 and 10.

30. Claims 8 and 20 are rejected under 35 U.S.C. 103(a) as being obvious by Thatcher in view of Karamanolis as applied to claims 1-7, 9-19 and 21-29 above, and further in view of Kumar et al (U.S. Patent 6,343,287 B1 hereinafter, "Kumar").

31. With respect to claims 8 and 20,

Although Thatcher and Karamanolis combination substantially teaches the claimed invention, they do not explicitly indicate the capability of **"wherein the second namespace comprises a metadirectory** (Kumar col. 5 lines 60-67 e.g. turns a profile service into a functional meta-directory enabling profile information to be distributed throughout a distributed computing system)**" of claim 8,**

"wherein the central representation and the other central representation reside in a metadirectory (Kumar col. 5 lines 60-67 e.g. turns a profile service into a functional meta-directory enabling profile information to be distributed throughout a distributed computing system)**" of claim 20,**

Kumar teaches the limitation as stated above.

It would have been obvious to one of ordinary skill in the art of namespace, at the time of the present invention, having the teachings of Thatcher, Karamanolis and Kumar before him/her, to modify the namespace system of Thatcher and Karamanolis combination, wherein the method would include meta-directory as taught by Kumar because that would have allowed the system to provide a service architecture that provides directory integration together with an ability to add links to new external data store mechanism specified at runtime (Kumar col. 5 lines 1-7).

32.   Claims 30-33 are rejected under 35 U.S.C. 103(a) as being obvious by Thatcher in view of Karamanolis as applied to claims 1-7, 8-19 and 21-29 above, and further in view of Chond et al (U.S. Patent 5,862,325 hereinafter, "Chond").

33.   With respect to claims 30-33,

Thatcher further discloses **a graphical user interface** (Thatcher col. 8 lines 45-61 e.g. When the user requests to expand the target 51A, at least a portion of the foreign namespace 54 will be displayed in the user interface 57 relative to the target 51A) **for creating a configuration file.**

Although Thatcher and Karamanolis combination substantially teaches the claimed invention, they do not explicitly indicate the capability of

"a third area for identifying a direction of flow of data (Kumar paragraph
0561 e.g. the GUI can display information held in the "comment" attribute during
variable mapping (this will be discussed in greater detail below). Finally, there are the
"in" and "out" attributes, which are also used in conjunction with sub-controller calls. It
specifies the direction of data flow (i.e., whether data can flow into/out of the model via
the model variable).) between the central attribute and the external attribute" of
claim 30;

"wherein the third area comprises at least two options, an option to flow
the data from the external entity to the central entity or to flow the data from the
central entity to the external entity (Kumar paragraph 0561 e.g. the GUI can display
information held in the "comment" attribute during variable mapping (this will be
discussed in greater detail below). Finally, there are the "in" and "out" attributes, which
are also used in conjunction with sub-controller calls. It specifies the direction of data
flow (i.e., whether data can flow into/out of the model via the model variable).)" of claim
31;

"the information being based on a selection of the direction of flow of data
(Kumar paragraph 0561 e.g. the GUI can display information held in the "comment"
attribute during variable mapping (this will be discussed in greater detail below). Finally,
there are the "in" and "out" attributes, which are also used in conjunction with sub-
controller calls. It specifies the direction of data flow (i.e., whether data can flow into/out
of the model via the model variable).)" of claim 32;

"wherein the configuration file comprises an extensible markup language file (Kumar paragraphs 0031 and 0325 e.g. The system includes a graphical user interface adapted to allow a user to visually build a workflow for an application; and a module for converting the visually built workflow into a markup language (e.g., an XML-based markup language); the rapid visual primitives are stored in an XML format, which will be referred to as TPL)**" of claim 33,**

Wu teaches the limitations as stated above.

It would have been obvious to one of ordinary skill in the art of namespace, at the time of the present invention, having the teachings of Thatcher, Karamanolis and Chond before him/her, to modify the namespace system of Thatcher and Karamanolis combination, wherein the method would include bi-directional data flow and XML file as taught by Chond because that would have allowed the system to provide a visual development tool for rapidly building voice and data applications that may operate across multiple network standards, devices, browsers and languages (Wu paragraph 0015).

Conclusion

The prior art made of record, listed on form PTO-892, and not relied upon, if any, is considered pertinent to applicant's disclosure.

34.   The examiner requests, in response to this office action, support be shown for language added to any original claims on amendment and any new claims. That is, indicate support for newly added claim language by specifically pointing to page(s) and

line no(s) in the specification and/or drawing figure(s). This will assist the examiner in prosecuting the application.

35.   When responding to this office action, Applicant is advised to clearly point out the patentable novelty which he or she thinks the claims present, in view of the state of the art disclosed by the reference cited or the objections made. He or she must also show how the amendments avoid such references or objections See 37 CFR 1.111(c).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to SyLing Yen whose telephone number is 571-270-1306. The examiner can normally be reached on Mon-Fri 8:30am - 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain Alam can be reached on 571-272-3978. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

SyLing Yen

Examiner
Art Unit 2166

SY
April 30, 2008

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